HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.593 of 2007

Dated:05.01.2007

Between:

Annam Subba Rao, and others.

…Petitioner

and

The District Collector and others.

…Respondent

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.593 of 2007

ORDER:

The petitioners herein were granted Provisional Assessment on 10.08.1971 in respect of the land comprised in Survey No.83/3 admeasuring Ac.1.00. They filed W.P.No.5545 of 2000 before this Court *inter alia* seeking a direction to the revenue Officials to evict the third parties from the land and regularize the assignment. The same was disposed of on 22.12.2000. In obedience thereto the third respondent passed orders on 04.08.2001 cancelling the Provisional Assessment under Board Standing Order 15 para 12(3) Note (iii). Aggrieved by the same, the petitioners preferred an appeal before the second respondent. By proceedings dated 27.10.2005 the second respondent set aside the orders of the Mandal Revenue Officer. The petitioners allege that in spite of the same, the third respondent is not taking steps to evict unauthorized occupants. They seek a writ of mandamus directing the third respondent to evict unauthorized persons from the land in Survey No.83/3.

The petitioners have annexed the orders of this Court in W.P.No.5545 of 2000, orders of the Mandal Revenue Officer and the Revenue Divisional Officer, which would *prima facie* support the case of the petitioners. They also made representations to the Mandal Revenue Officer on 07.03.2006 and 21.08.2006. Therefore, this Court observes that the third respondent should take necessary action in

accordance with the orders/proceedings of the second respondent dated 27.10.2005. This exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

The Writ Petition, with the above observations and directions, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

05.01.2007
vs